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LETTER DATED 2 NOVEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF BURUNDI TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey to you the note verbale by which the Government of Burundi transmits to you the preliminary report on the murderous attack at the town of Muzye (Rutana province) which cost the life of two United Nations officials on a humanitarian mission (see annex).

You will note that a judicial brief is being prepared and that it will also be transmitted to you as soon as possible.

The Permanent Mission of Burundi would be grateful if you would regard the note verbale as a document of the Security Council.

(Signed) Marc NTETURUYE
Ambassador
Permanent Representative

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Annex

Note verbale dated 2 November 1999 from the Ministry of External Affairs and Cooperation of Burundi addressed to the Secretary-General

The Ministry of External Affairs and Cooperation of the Republic of Burundi presents its compliments to the Secretary-General of the United Nations and, with reference to its note of 13 October 1999, has the honour to transmit to him herewith the preliminary report on the investigations made on the spot at Muzye, in Rutana province, between 14 and 16 October 1999 (see appendix).

The Ministry wishes to inform the Secretary-General of the United Nations that the judicial brief bringing an indictment against persons unknown is being processed and that it will be transmitted to him in due course.

Appendix

Summary report on the visit made to Muzye by the military legal advisers and by the Legal Counsel of the Ministry of National Defence

1. Background to the visit

On 1 October 1999, the services of the Resident Representative of the United Nations Development Programme (UNDP) in Burundi informed the Governor of Rutana that they would undertake a mission to evaluate the emergency assistance for needy persons in the province on 14 October 1999.

On Monday, 11 October 1999, in a telephone call to the Governor, they announced that the date of the visit was fixed for the next day, 12 October 1999, at 9.30 a.m. The delegation was composed of the UNDP Resident Representative in Burundi, Kathleen Kravero, head of delegation, the representative of the United Nations Children's Fund (UNICEF) in Burundi, an official of the World Food Programme (WFP) responsible for logistics, an official of the Office of the United Nations High Commissioner for Refugees (UNHCR) and a security coordinator.

The delegation did not provide details concerning the means of transport after the aircraft landed at the Société Sucrierè de Moso (SOSUMO).

The Governor of the province took the initiative of asking the Chief Executive Officer of the company to make two jeeps available to the delegation, and that was done.

No schedule was therefore arranged in advance either by the delegation or by the Governor. A decision was taken on the spot to visit Muzye, where there were approximately 4,000 displaced persons; it was chosen on account of the extreme poverty that prevailed at that location, the duration of the visit and the distance between the airport and the site.

The date and time of the visit were known only to the Governor of the province, the District Commander and the non-governmental organization the International Medical Corps which works in the Rutana sector and which, on the day before, had left six bales of blankets at the site intended for subsequent distribution.

2. Description of the events

The concordant statements of the witnesses questioned show that the action carried out by the genocidal terrorists lasted only 10 minutes and was the work of professional killers.

According to the statements recorded on the spot, the military post situated near the site of the massacres had not been informed of the visit and did not have time to intervene, especially as the post itself was being attacked with rockets and machine-guns at the same time as the business centre. It

should be emphasized that a group of assailants was carrying out a military operation some 15 kilometres from the site of the massacres as a diversionary action while the main body of attackers headed for the Muzye business centre.

The assistance given by the soldiers, although rapid, could not save nine innocent people for the reasons mentioned above, but it was sufficient to limit the human suffering and material losses by forcing the attackers to withdraw.

The tragic outcome was nine people killed, including the UNICEF representative in Burundi, a WFP logistics officer, the Chief Executive Officer of SOSUMO, the driver of the Rutana District Commander and five civilians. Eight people suffered bullet wounds, including a Burundi woman working with UNDP, a policeman from the Rutana district and six other people. Three vehicles were set on fire: two SOSUMO jeeps and a van belonging to the District Commander.

After this attack, which according to the eyewitnesses lasted about 10 minutes, the attackers withdrew towards Tanzania, the direction from which they had come. All the eyewitnesses questioned, including those who were forced to accompany the attackers and were able to escape after two days of captivity, were unanimous in stating that the killing of nine innocent people and the material damage caused by this senseless and barbaric action was the work of about 40 attackers who came from Tanzania.

This macabre action was facilitated by the means of communication available to the attackers.

3. Conclusion

The preparation of the mission left much to be desired. Those involved, both the delegation and the local authorities, underestimated the danger. This interim report will be completed by a judicial brief indicting persons unknown. The competent services of the Ministry of National Defence are working with the local United Nations agencies to establish measures and procedures to ensure that such incidents do not recur.

The investigating commission consisted of the following members:

Lt. Col. Constantin Ndayiragije	President
Captain Salvator Nahimana	Member
Mr. Joseph Nzeyimana	Member (Legal Counsel, Ministry of National Defence)

Identity of the people questioned, eyewitnesses of the Muzye massacres

Governor of Province Rutana, Léonidas Hakizimana

Commander, Rutana District, Pascal Ntemako

Commander, Gihofi Brigade, Salvator Ngendahayo

Elysée Manirakiza

Lieutenant N. Nihangaza

Muzye area chief, Savin Ntiranyibagira

Ms. Bandyatuyaga

Ms. Ndururukije

Antoine Ntibifashe

Philippe Buyoya

Célestin Mutama

Guy Waeghenaere, UNDP Security Coordinator